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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. 4-09-70510 WDB
	)	
Plaintiff,	)	REVISED STIPULATION AND ORDER
	)	CONTINUING PRELIMINARY
v.	)	HEARING OR ARRAIGNMENT DATE
	)	AND EXTENDING TIME
BRANDON MICHAEL BUCHANAN,	)	
	)	
Defendant.	)	OAKLAND VENUE
	)	

The parties request and stipulate that the date for the preliminary hearing or arraignment of defendant, Brandon Michael Buchanan, be continued from Thursday, July 2, 2009 to Friday, July 10, 2009 at 10:00 a.m., and that defendant be ordered to be present before this Court at that time. The parties also request and stipulate that, pursuant to Federal Rule of Criminal Procedure (“FRCP”) 5.1(d), the time limits set forth in FRCP 5.1(c) be tolled and extended from July 2, 2009, to and including July 10, 2009. The parties agree that – taking into account the public interest in the prompt disposition of criminal cases – good cause exists for this extension. Defendant also agrees to toll and to exclude for this period of time any time limits applicable under Title 18, United States Code, Section 3161. Undersigned defense counsel represents that she has spoken with her client, Mr. Buchanan, and that Mr. Buchanan agrees to the continuance

1 and to time being tolled and excluded as requested.

2 In support of this request, the parties note that on June 11, 2009 and June 25, 2009, the  
3 government produced discovery to defense counsel. The government intends to collect  
4 additional material from the Contra Costa County Sheriff's Office related to this case and to  
5 produce it to defense counsel next week. Defense counsel needs additional time to review the  
6 material produced and to be produced by the government. Additionally, the grand jury in and for  
7 the Northern District of California sitting in Oakland, California is not in session during the  
8 week of June 29, 2009.

9 **IT IS SO STIPULATED.**

10  
11 DATED: June 29, 2009

Respectfully submitted,

12 JOSEPH P. RUSSONIELLO  
13 United States Attorney

14 /s/  
15 JAMES C. MANN  
Assistant U.S. Attorney

16  
17 DATED: June 29, 2009

/s/  
18 DEBORAH G. LEVINE  
Attorney for Defendant Brandon  
19 Michael Buchanan

20 Good cause appearing therefor, **IT IS SO ORDERED.**

21 DATED: July 1, 2009

  
22 HON. WAYNE D. BRAZIL  
United States Magistrate Judge  
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